

Court of Appeals, State of Michigan

ORDER

Jennifer Mayer v Thomas M Cooley Law School

Docket No. 295333

LC No. 08-000923-CK

William C. Whitbeck
Presiding Judge

Patrick M. Meter

Michael J. Kelly
Judges

The Court orders that the motion for peremptory reversal under MCR 7.211(C)(4) is GRANTED. No genuine issue of material fact exists regarding plaintiff's claim that defendant failed to accommodate her learning disability under the Persons With Disabilities Civil Rights Act (PWDCRA), MCL 37.1101 *et seq.* Plaintiff acknowledged receipt of defendant's student handbook, which detailed the school's policy and procedure for accommodating students with disabilities, including the requirement that the student provide documentation of the disability. Plaintiff admitted that she provided no such documentation. Therefore, defendant had no duty to offer an accommodation. *Buck v Thomas M Cooley Law School*, 272 Mich App 93, 101 (2006) ("Before plaintiff provided documentation of a disability and requested an accommodation, defendant had no statutory duty to act on behalf of plaintiff."). Accordingly, defendant is entitled to judgment as a matter of law. MCR 2.116(C)(10); *Brown v Brown*, 478 Mich 545, 552 (2007).

This case is REMANDED for entry of an order granting summary disposition in favor of defendant. We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 25 2010
Date

Sandra Schultz Mengel
Chief Clerk